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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BATES, KEVIN T	

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/722,981	DOWLING, ERIC MORGAN	
	Examiner	Art Unit	
	Kevin Bates	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-62* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-62* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9-29-04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

This Office Action is in response to a communication made on September 29, 2004.

The Information Disclosure Statement was received on September 29, 2004.

Claims 1-20 have been cancelled.

Claims 21-62 have been newly added.

Claims 21-62 are pending in this application.

Claim Objections

Claim 51 objected to because of the following informalities: Claim 51 is dependent on a cancelled claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 21-37, 39-45, 49-50, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asprey (Column 6529596).

Regarding claim 21, Asprey teaches a method of connecting an end-user Voice-over-Internet-protocol (VoIP) telephony gateway device to a network (Column 2, lines 54 – 62) comprising: providing a web site which enables a particular end user associated with the end user VoIP telephony gateway device to enroll with a VoIP service provider as a VoIP subscriber of a VoIP telephony service provided by the VoIP

service provides (Figure 3A, Column 4, lines 59 – 66); coupling the end-user VoIP telephony gateway device to a access device which is coupled to the Internet via an Internet Service Provider (ISP) (Column 5, lines 54 – 57); coupling a PSTN-type telephone to the VoIP telephony gateway device (Column 4, lines 25 – 31) so that the particular end user can accept incoming telephone calls and place outbound telephone calls using the PSTN-type telephone wherein the telephone calls travels at least a path through the global Internet that carries packetized voice data (Column 5, lines 7 – 14; lines 44 – 49); and executing a handshake registration operation when the end-user VoIP telephony gateway device is coupled to the access device in order to automatically register the VoIP telephony gateway device, via the broadband access device and the ISP (Figure 3A, Column 4, lines 38 – 46), with a central server that is configured to set up VoIP telephone calls; and directing telephone calls intended for the particular end user to the VoIP telephony gateway device after the registration operation has completed (Column 4, line 59 – Column 5, line 3), but Asprey does not explicitly indicate that the connection to the ISP is a broadband connection that includes a DSL or cable modem. Examiner takes Official Notice (see MPEP § 2144.03) that "using cable and DSL modems to have a broadband connection to the Internet" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a

challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claim 22, Asprey teaches a communication system that provides Voice-over-Internet-protocol (VoIP) telephone services to end users (Column 2, lines 54 – 62), comprising: a plurality of public VoIP gateway devices that process both inbound calls from the public switched telephone network (PSTN) and outbound calls to destinations in the PSTN so that the calls may be carried partially via VoIP paths through the global Internet (Figure 2, element 10; Column 4, lines 31 – 36); a plurality of end user gateway devices connectable to the global Internet via respective access devices (Column 5, lines 54 – 57); a merchant web site configured to allow end users to enroll as subscribers (Figure 3A, Column 4, lines 59 – 66); and a call processing server coupled to communicated with the public VoIP getaway devices and the end user gateway devices and operative to implement an automated registration operation to register a particular end-user gateway device that is associated with a particular end user (Figure 3A, Column 4, lines 38 – 46), wherein the database entry it written during

the registration operation to associate the particular end-user device with a network address (Column 4, line 59 – Column 5, line 3) and wherein the call processing server is further operative to selectively rout, based on a destination telephone number and the network address (Column 5, lines 44 – 49), an inbound telephone call received at particular one of the public VoIP gateway devices to the particular end-user gateway device that is associated with the destination telephone number (Column 5, lines 12 – 15), but Asprey does not explicitly indicate that the connection to the ISP is a broadband connection. Examiner takes Official Notice (see MPEP § 2144.03) that "using cable and DSL modems to have a broadband connection to the Internet" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3)

states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claim 28, Asprey teaches a method of providing a VoIP telephone service (Column 2, lines 54 – 62), comprising: supplying a plurality of geographically dispersed point of presence (POP) gateway devices that accept inbound calls from the PSTN and direct outbound calls to the PSTN (Figure 2, elements 17, 18, and 10); enrolling, via a web site interface, a plurality of end users into the VoIP telephony service (Figure 3A, Column 4, lines 59 – 66), wherein a particular end user of the plurality of end users can both receive inbound telephone calls and place outbound telephone calls using a standard PSTN-type telephone that is coupled to an end-user VoIP telephone gateway device that is configured to be coupled to the Internet via a access device (Column 5, lines 7 – 14; lines 44 – 49); automatically registering the end-user VoIP telephony gateway device into the VoIP telephony gateway device (Column 4, line 59 – Column 5, line 3); receiving a particular inbound phone call at a particular point of presence gateway device of the plurality of geographically dispersed gateway devices, wherein a destination telephone number is associated with the particular inbound phone call corresponds to the particular end user (Column 5, lines 7 – 14; lines 44 – 49); and based upon Internet address information derived as result of the registering operation (Figure 3B, local and global PPN), routing the call from the particular point of presence gateway device via the global Internet to the particular end-user VoIP telephone gateway device so that the end user can accept the call using the standard PST-type telephone (Figure 6), but Asprey does not explicitly indicate that the

connection to the ISP is a broadband connection. Examiner takes Official Notice (see MPEP § 2144.03) that "using cable and DSL modems to have a broadband connection to the Internet" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claim 39, Asprey teaches a method of providing a VoIP telephony service (Column 2, lines 54 – 62), comprising: enrolling, via a web site interface, a plurality of end users into the VoIP telephony service (Figure 3A, Column 4, lines 59 – 66), wherein a particular end user of the plurality of end users can both receive inbound telephone calls and place outbound telephone calls using a standard PSTN-type

telephone that is coupled to an end-user VoIP telephony gateway device that is configured to be coupled to the Internet via an access device (Column 5, lines 7 – 14; lines 44 – 49); registering the end-user VoIP telephony gateway device into the VoIP network service by implementing an automated handshake protocol with the end-user VoIP telephony gateway device (Column 4, line 59 – Column 5, line 3); and detecting when an inbound call is made to a telephone number associated with the end-user VoIP telephony gateway device, and in response thereto, and based on information derived as a result of the registering operation, routing the call via the global Internet to the end-user VoIP telephony gateway device (Figure 5), but Asprey does not explicitly indicate that the connection to the ISP is a broadband connection. Examiner takes Official Notice (see MPEP § 2144.03) that "using cable and DSL modems to have a broadband connection to the Internet" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement

that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claim 53, Asprey teaches a method of providing a VoIP telephony service (Column 2, lines 54 – 62), comprising: supplying a merchant web site interface to enroll a plurality of end users into the VoIP telephony service (Figure 3A, Column 4, lines 59 – 66), wherein a particular end user of the plurality of end users can both receive inbound telephone calls and place outbound telephone calls using a standard PSTN-type telephone device that is coupled to an extension to an end-user VoIP telephony gateway device that the end user connects to the Internet via a access modem connection (Column 5, lines 7 – 14; lines 44 – 49), but Asprey does not explicitly indicate that the connection to the ISP is a broadband connection that includes a DSL or cable modem. Examiner takes Official Notice (see MPEP § 2144.03) that "using cable and DSL modems to have a broadband connection to the Internet" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances

justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claims 23-24, 29-30, and 40-41, Asprey teaches that the end-user is charged a monthly subscription rate and charged a per-call fee for at least certain telephone calls to access the VoIP network service (Figure 3A, "features and charges", "credit card information", "Extra Cost Option"; Figure 6, line 26; lines 36 – 39).

Regarding claims 25-27, 31-33, and 42-44, Asprey discloses that the end user is a home user (Column 1, line 14) but does not explicitly indicate the broadband access device is selected from the group consisting of a DSL modem and a cable modem. Examiner takes Official Notice (see MPEP § 2144.03) that "using cable and DSL modems to have a broadband connection to the Internet" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a

challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claims 34 and 45, Asprey discloses that wherein the automated handshake protocol is implemented substantially when the end-user VoIP telephony gateway device is connected via the broadband access device to a central registration server that is operative to register and configure the end-user VoIP telephony gateway device to prepare it to place and receive telephone calls and for such calls to be associated with a billing account associated with the particular user (Figure 3A).

Regarding claim 35, Asprey discloses that wherein the standard PSTN-type telephone is wired to the particular end-user VoIP telephony gateway device using standard telephone wiring (Column 1, lines 14-15).

Regarding claim 36, Asprey discloses that wherein the particular end-user VoIP telephony gateway device acts as a cordless phone base station and the standard PSTN-type telephone acts as a cordless telephone handset (Figure 7, elements 28 and 30).

Regarding claim 37, Asprey discloses that wherein the particular end-user VoIP telephony gateway device users a wireless LAN protocol to communicated with a wireless mobile unit and the wireless mobile unit is configured to support packet telephony calls (Figure 7, elements 28 and 30).

Regarding claim 49, Asprey discloses that wherein the web site interface comprises a merchant web site interface (Figure 3A).

Regarding claim 50, Asprey discloses that wherein the web site interface is provided by a provider of the VoIP telephony service (Column 2, lines 50 – 62).

Claims 38, 54-57, and 61-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asprey in view of Emery (5353331).

Regarding claim 54, Asprey teaches a method of providing a VoIP telephony service (Column 2, lines 54 – 62), comprising: supplying a merchant web site interfaces to enroll a plurality of end users into the VoIP telephony service (Figure 3A, Column 4, lines 59 – 66), wherein a particular end user of the plurality of end users can both receive inbound telephone calls and place outbound telephone calls (Column 5, lines 7 – 14; lines 44 – 49) using a wireless handset that is coupled to the global Internet via a first wireless local area network access gateway (Figure 7, elements 28 and 30); at a central server, via an Internet connection, programmatically interfacing with a VoIP telephony software module associated with the particular user to register a current network location associated with the particular user to configure the VoIP telephony service to cause inbound telephone calls directed to the particular user to be directed to the wireless handset via the fist wireless local area network access gateway (Column 6,

lines 19 – 20, where a follow-me system is a system where the system knows a user's location in order for phone calls to be able to follow the user at different locations); and detecting when an inbound call is made to a telephone number associated with the particular end user; and in response thereto, routing the inbound call via the global Internet to the wireless handset (Figure 7, elements 28 and 30 and Figure 5), but Asprey does not explicitly indicate that the routing is via the first wireless local area network access gateway, but when in particular user later roams to an area covered by a second wireless local area network access gateway, the programmatically interfacing operation is repeated, whereby the routing is subsequently via the second wireless local area network access gateway. Emery teaches a follow me system (Column 21, lines 20 – 26) which registers a current location of a user, and updates that location if the user roams to a second local area network access gateway (Column 19, line 48 – Column 20, line 14; Column 4, lines 46 – 64). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Emery's teaching of a follow me system in Asprey's system in order to handle a roaming subscriber and make sure the system knows where to direct calls (Column 5, lines 13 – 37). Asprey also does not explicitly indicate that the connection to the ISP is a broadband connection. Examiner takes Official Notice (see MPEP § 2144.03) that "using cable and DSL modems to have a broadband connection to the Internet" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference

in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claim 38, Asprey does not explicitly indicate that the wireless mobile unit is further configured to support cellular telephony calls and is capable of roaming from a cellular telephony call to a packet telephony call. Emery teaches a follow me system (Column 21, lines 20 – 26) which registers a current location of a user, and updates that location if the user roams to a second local area network access gateway (Column 19, line 48 – Column 20, line 14; Column 4, lines 46 – 64). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Emery's teaching of a follow me system in Asprey's system in order to handle a roaming subscriber and make sure the system knows where to direct calls (Column 5, lines 13 – 37).

Regarding claim 55, the combination of Asprey and Emery discloses that the method if using to hand off a single call from the first wireless local area network access gateway to the second wireless local area network access gateway (Emery, Column 19, lines 21-37; Column 20, lines 1 – 14; Column 4, lines 46 – 64).

Regarding claim 56, the combination of Asprey and Emery discloses that the method is used to support a first telephone call before the user roams and the second telephone call after the user roams, and the first and second coverage areas are non-overlapping (Column 19, lines 40 – 41, where the areas don't overlap because only connections are made to the strongest signal).

Regarding claim 57, the combination of Asprey and Emery discloses that the method is used to hand off a cellular telephony call from a cellular communications network to the second wireless local area network access gateway (Emery, Column 19, lines 21-37; Column 20, lines 1 – 14; Column 4, lines 46 – 64).

Regarding claim 61, Asprey teaches a local wireless connection, but does not explicitly indicate that the first wireless local area network access gateway uses a protocol selected from the group consisting of an 802.11 protocol, a HomeRF protocol, a Bluetooth protocol, and an air interface protocol defined by a software downloadable protocol software routine. Examiner takes Official Notice (see MPEP § 2144.03) that "Bluetooth and 802.11 are local protocol" in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference

in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claim 62, the combination of Asprey and Emery discloses that the first wireless local area network access gateway corresponds to a public access gateway located in public area that services mobile individuals with wireless handsets located in the coverage area of the first wireless local area network access gateway (Column 4, lines 46 – 49).

Claims 46 – 48 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asprey in view of Kung (6373817).

Regarding claims 46-48 and 52, Asrey does not explicitly indicate that the end-user VoIP telephony gateway device comprises first and second telephony ports for coupling to first and second external telephony devices, respectively, and wherein inbound calls to a first telephone number are directed to the first port and inbound calls

to a second telephone number are directed to the second port. Kung discloses a system where which combines POTS telephones and broadband services (Column 4, lines 26 – 48), where there is a gateway with a plurality of ports connecting two or more telephones with separate ports which are separately addressed (Column 8, lines 39 – 60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Asprey's teaching and Kung's system in order to allow Asprey's transformation of telephone communication to be made into packet form for VoIP communication at the local level within the customer location (Column 5, lines 1-11)

Claims 58 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aspery in view of Emery as applied to claim 38, 54-57, and 61-62 above, and further in view of Koodli (6571095).

Regarding claims 58, 59, and 60, the combination of Emery and Asprey does not explicitly indicate that the SIP protocol is used to associated the telephone number with an IP address of the first wireless local area network access gateway at a first time and with the second wireless local area network access gateway at a second time and that the telephone number is represented as an application layer alphanumeric address designator corresponding to a SIP address. Koodli discloses a wireless system with using VoIP which includes using the SIP protocol for communication in the system (Column 6, lines 22 – 34) and discloses obtaining addressing information for gateways and devices using alphanumeric addresses (Column 1, lines 14 – 20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use

Koodli's teachings in Asprey's system in order to allow better addressing of people and systems in a wireless VoIP system (Column 2, lines 45 – 55).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6744759 issued to Sidhu, because it discloses user registered services in a VoIP system.

U. S. Patent No 6442248 issued to Davis, because discloses a residential gateway with ports and that Bluetooth and 802.11 are local wireless networks.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
July 28, 2005

SALEH NAJJAR
PRIMARY EXAMINER